

## **REMARKS**

Claims 1-33 and 35-41 were presented and examined. In response to the Office Action, Claims 1, 6, 11 and 31 are amended, Claims 33 and 41 are cancelled and no claims are added. Applicant respectfully requests reconsideration of pending claims in view of the above amendments and the following remarks.

### **I. Claims Rejected Under 35 U.S.C. §112**

Claim 6 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claim 6 is amended according to the Examiner's suggestion. Reconsideration of Claim 6 is requested in view of the amendment thereto.

### **II. Double Patenting**

Claims 1-3, 5-8, 11-14, 31-33, 35 and 41 are provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-29 of co-pending U.S. Patent Application Publication No. 2007/0223704 A1. Applicant submits a terminal disclaimer to overcome the double patenting rejection.

### **III. Claims Rejected Under 35 U.S.C. §103**

Claims 1, 11 and 31 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,278,837 to Best ("Best"), U.S. Patent No. 6,278,782 to Ober, et al. ("Ober"), and U.S. Patent No. 7,181,620 to Hur ("Hur"). We respectfully traverse this rejection.

In response, Claims 1 and 11 are amended to incorporate allowed Claim 41. Claim 31 is amended to incorporate allowed Claim 33.

For each of the above reasons, Claims 1, 11 and 31, and all claims which depend from Claims 1, 11 and 31, respectively, are patentable over Best in view of Ober and further in view of Hur, as well as the references of record. Therefore, please reconsider and withdraw the §103(a) rejection of Claims 1, 11 and 31.



Each of the Applicant's other independent claims, and each claim which depend from those claims are patentable over the cited art for similar reasons. Therefore, please reconsider and withdraw the §103(a) rejection of Claims 11 and 31.

#### DEPENDENT CLAIMS

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.



### **CONCLUSION**

In view of the foregoing, it is believed that all claims now pending (1) are in proper form, (2) are neither obvious nor anticipated by the relied upon art of record, and (3) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: March 17, 2010

By: \_\_\_\_\_

Joseph Lutz, Reg. No. 43,765

1279 Oakmead Parkway  
Sunnyvale, CA 94085-4040  
Telephone (310) 207-3800  
Facsimile (408) 720-8383

### **CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being submitted electronically via EFS Web to the United States Patent and Trademark Office on March 17, 2010.

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Si Vuong